

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEBRASKA
LINCOLN DIVISION

IN RE: ROBERT B. STOLTENBERG AND JOANNA L. STOLTENBERG,	Case No. 08-40198-TJM
Debtors.	Chapter 7

FIRST NATIONAL CREDIT CARD CENTER 1620 Dodge Street, Stop 3105 Omaha, Nebraska 68197,	A.P. No. 08-04039-TJM
---	-----------------------

Plaintiff,

v.

JOANNA L. STOLTENBERG
1715 Bass Road
Grand Island, NE 68801,

Defendant.

CONSENT JUDGMENT EXCEPTING DEBT FROM DISCHARGE

First National Credit Card Center, by its attorney, Robert S. Cooper, Esq., having filed an Adversary Proceeding seeking an Order pursuant to 11 U.S.C. §523(a)(2)(A) that the Defendant's indebtedness to the Plaintiff is an exception to discharge, with interest from January 30, 2008, plus the Plaintiff's costs and disbursements incurred for this action, and the Defendant, having appeared by her attorney, James Truell, Esq., and the abovementioned parties having subsequently entered into negotiations resulting in the agreement set forth herein, and the Defendant, the Defendant's attorney, and the Plaintiff's attorney, having consented to the entry of this Judgment, and upon all papers and proceedings had herein, and after due deliberation, it is hereby

ORDERED, DECREED, AND ADJUDGED as follows:

1. Judgment be entered in favor of the Plaintiff and against the Defendant in the sum of \$5,487.03, plus interest at the annual rate of 9% from January 30, 2008,

2. The Judgment shall be nondischargeable pursuant to 11 U.S.C. §523(a)(2)(A), and will survive any Order of discharge in this and any subsequent bankruptcy case,

3. Execution of said Judgment shall be stayed unless and until the Defendant fails to pay to the Plaintiff the sum of \$4,500.00, plus interest at the annual rate of 5% from September 1, 2008, payable at \$50.00 a month for the first six months, \$75.00 a month for the next six months, and \$100.00 a month thereafter, with the first payment being due on September 1, 2008, and each subsequent payment being due by the first day of each and every month thereafter until the entire amount set forth in this paragraph has been paid in full; Although the due date for each monthly payment is the first day of each month, the Defendant shall have until the fifteenth day of each month to make the monthly payment; The Defendant shall have the right to prepay at any time, without penalty, the unpaid balance of the settlement amount set forth in this paragraph,


4. Payment of the sums specified in paragraph 3 above, shall be made payable to "Robert S. Cooper, Esq., as Attorney for First National Credit Card Center", with the account number "4418-4092-3077-1397" written on each check, and payments shall be sent to:

Robert S. Cooper, Esq., 1425 Jefferson Road, Rochester, New York 14623,

5. If the Defendant fails to make any of the payments within fifteen days of the dates specified in paragraph 3 above, the Stay of Execution shall be immediately dissolved, and the Plaintiff may forthwith seek to execute upon the total amount of the Judgment, less any payments actually made, using all lawful processes, and

6. If the Defendant makes all payments specified in paragraph 3 above, the Judgment will be satisfied in full.

DATED: August 7, 2008


HONORABLE TIMOTHY J. MAHONEY
UNITED STATES BANKRUPTCY JUDGE
DISTRICT OF NEBRASKA

/s/ Robert S. Cooper 07/24/2008

This Consent Judgment prepared by:
Robert S. Cooper, Esq., RC0986
Attorney for Plaintiff
1425 Jefferson Road
Rochester, New York 14623
Telephone: 585-292-1920
Facsimile: 585-292-1925
Email: RCOOPERESQ@aol.com

The parties having reviewed the abovementioned Judgment, consent to this Court entering this Judgment as settlement of this Adversary Proceeding.

/s/ Joanna L. Stoltenberg 08/06/2008
Joanna L. Stoltenberg Date
Defendant

/s/ James Truell 08/06/2008
James Truell, Esq., #014258 Date
Attorney for Defendant
Truell, Murray & Maser, P.C.
220 Oxnard Avenue
P.O. Box 452
Grand Island, NE 68802
Telephone: 308-384-0200
Facsimile: 308-384-0206
Email: jtruell@truelllaw.com

/s/ Robert S. Cooper 07/24/2008
Robert S. Cooper, Esq., RC0986 Date
Attorney for Plaintiff,
First National Credit Card Center
1425 Jefferson Road
Rochester, New York 14623
Telephone: 585-292-1920
Facsimile: 585-292-1925
Email: RCOOPERESQ@aol.com